

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TODD A. SZEWCZYK, JUAN DONES-	:	CIVIL ACTION
CRUZ, and KIMBERLY RUCKER, on behalf	:	
of themselves and all others similarly situated	:	
	:	
v.	:	
	:	
UNITED PARCEL SERVICE, INC.	:	NO. 19-1109

ORDER

AND NOW, this 22nd day of October, 2019, upon consideration of Defendant's Motion to Dismiss Plaintiffs' Complaint (Docket No. 10), and all documents filed in connection therewith, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The Motion is **GRANTED** insofar as it seeks dismissal of Counts II, IV, and V, and Counts II, IV, and V are **DISMISSED**.
2. The Motion is **DENIED** insofar as it seeks dismissal of Counts I and III.
3. Plaintiff Kimberly Rucker **DISMISSED** as a Plaintiff in this action.

BY THE COURT:

/s/ John R. Padova, J.

John R. Padova, J.